

Adopted	Rejected
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COMMITTEE REPORT

YES:	11
NO:	0

MR. SPEAKER:

*Your Committee on Aged and Aging, to which was referred Senate Bill 436, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 3, line 39, after "director." insert: **"If an operator fails to file**
- 2 **a disclosure document, the operator may not:**
- 3 **(1) enter into or extend the term of a contract with an**
- 4 **individual to reside in a housing with services establishment;**
- 5 **or**
- 6 **(2) use the term "assisted living" to describe the housing**
- 7 **with services establishment's services and operations to the**
- 8 **public."**
- 9 Page 4, between lines 14 and 15, begin a new paragraph and
- 10 insert:
- 11 **"(d) An operator of a new housing with services establishment**
- 12 **must file a disclosure document within sixty (60) days of the first**
- 13 **occurrence of the following:**
- 14 **(1) The first contract with a resident is signed.**
- 15 **(2) The first resident moves into the housing with services**

1 establishment."

2 Page 4, line 15, delete "(d)" and insert "(e)".

3 Page 5, between lines 29 and 30, begin a new line block indented

4 and insert:

5 **"(12) The housing with services establishment's referral**
6 **procedures if the contract is terminated.**

7 **(13) The criteria used by the housing with services**
8 **establishment to determine who may continue to reside in the**
9 **establishment. The criteria must address the following:**

10 **(A) When a resident must be transferred because the**
11 **establishment and the resident are unable to develop a**
12 **means for assuring that the resident is able to respond**
13 **to an emergency in a manner that is consistent with local**
14 **fire and safety requirements.**

15 **(B) When the establishment is unable to assure that the**
16 **resident's physical, mental, and psychosocial needs can**
17 **be met."**

18 Page 5, line 30, delete "(12)" and insert "(14)".

19 Page 5, line 35, after "contract" insert **"criteria for residence**
20 **provided under subdivision (13)".**

21 Page 5, line 36, delete "(13)" and insert "(15)".

22 Page 6, between lines 16 and 17, begin a new paragraph and
23 insert:

24 **"Sec. 10. The division, in consultation with residents, residents'**
25 **representatives, and operators, shall do the following:**

26 **(1) Create a mediation process to assist in resolving contract**
27 **disputes between residents and housing with services**
28 **establishments.**

29 **(2) Adopt procedures to implement the filing process.**

30 **(3) Adopt procedures for securing and recording complaints**
31 **and endorsements filed by residents, residents' designated**
32 **representatives, and residents' family members."**

33 Page 6, line 17, delete "10" and insert **"11"**.

34 Page 6, line 22, delete "11" and insert **"12"**.

35 Page 6, line 31, delete "12" and insert **"13"**.

36 Page 7, line 20, delete "13" and insert **"14"**.

37 Page 7, line 26, delete "14" and insert **"15"**.

38 Page 7, line 31, delete "IC 12-10-15-12" and insert

- 1 **"IC 12-10-15-13".**
- 2 Page 7, line 31, delete "July" and insert "**September**".
- 3 Page 7, line 33, delete "not".
- 4 Page 7, line 34, after "act," insert "**within sixty (60) days of the**
- 5 **publication of the standardized disclosure form by the director of**
- 6 **the division of disabilities, aging, and rehabilitative services."**
- 7 Page 7, delete line 35.
- 8 Page 7, line 36, delete "July 1, 1998" and insert "**January 1,**
- 9 **1999"**.

(Reference is to SB 436 as reprinted February 3, 1998.)

and when so amended that said bill do pass.

Representative Mahern